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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 6th meeting
Held at Headquarters, New York, on Friday, 7 October 2016, at 3 p.m.

Chair: Mr. Drobnjak (Croatia)

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The meeting was called to order at 3 p.m.

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(A/71/23 (chaps. VIII, IX, X and XIII) and A/71/224)

1. **Ms. Radwan** (Saudi Arabia), speaking on behalf of the Gulf Cooperation Council (GCC) countries, reiterated their support for the exercise of the right of self-determination by peoples under alien or colonial rule, which constituted a violation of human rights and democratic values. They were concerned about the failure of the United Nations and the administering Powers to fulfil their obligations under Security Council and General Assembly resolutions and the Charter of the United Nations to end colonization; and they urged administering Powers to take responsibility for engaging in constructive dialogue with all parties concerned.

2. The GCC countries believed that the right of the Palestinian people to self-determination and the exercise of all their inalienable rights must be underscored. They therefore called for an immediate timetable for ending the Israeli occupation and compelling Israel, the occupying Power, to respect international law, and for a cooperative response by Israel to the Arab Peace Initiative relaunched by Saudi Arabia over four years earlier with a view to establishing an independent Palestinian State with East Jerusalem as its capital. Israel must also withdraw from all occupied Arab lands.

3. The Secretary-General and his Personal Envoy for Western Sahara were making praiseworthy efforts to find a solution to the question in accordance with Security Council resolutions. The GCC countries welcomed the cooperation of Morocco with the United Nations and its efforts to achieve economic and social development in the Sahara region. The Riyadh declaration of 20 April 2016 adopted by the Morocco-GCC Summit reaffirmed the principled support of GCC countries for the Moroccan position and their endorsement of its autonomy proposal. Autonomy that was acceptable to both parties to the dispute would be a good option. The countries called upon all involved to continue working to achieve a political solution based on dialogue and rejected any attempts to undermine the higher interests and sovereignty of Morocco. A lasting end to the dispute was vital for the stability and security of the Sahelo-Saharan region.

4. **Mr. Morales López** (Colombia) said that a lasting solution to the question of the Malvinas Islands was of interest not only to his country, but also to the entire Latin American and Caribbean region. Colombia reiterated its firm support for the rights of the Argentine Republic in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, as expressed previously in various regional forums. It was vital to find a peaceful negotiated solution to that special and particular colonial situation that involved a recognized sovereignty dispute between Argentina and the United Kingdom. His delegation urged both parties to resume negotiations to that end, as soon as possible, through a process of dialogue and cooperation in line with the relevant United Nations resolutions. Colombia welcomed the good offices of the Secretary-General to assist them in finding a peaceful solution to the dispute, as mandated by the General Assembly, but deplored the lack of progress despite the adoption of resolution 2065 (XX) and subsequent resolutions of the General Assembly and the Special Committee. In the meantime, the provision of resolution 31/49 cautioning against the introduction of any unilateral modifications in the situation must be respected. His delegation recognized the readiness and commitment of the Argentine Government to engage in dialogue to resolve

the dispute in accordance with United Nations resolutions, and called on both parties to maintain a constructive attitude in order to reach a lasting, peaceful solution to the situation.

5. **Mr. Djani** (Indonesia) said the fact that there remained 17 Non-Self-Governing Territories served as a vivid reminder that the United Nations must advance decolonization. Activities such as visiting missions, the annual regional seminars and the Week of Solidarity with the Peoples of Non-Self-Governing Territories continued to permit updated assessment and dissemination of the latest information on the political, social and economic situation in the Territories. The Department of Public Information was making an effort to work with the administering Powers to disseminate information regarding decolonization; and other United Nations bodies like the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the United Nations Development Programme should continue providing the technical assistance needed by the population of the Territories.

6. Welcome steps had been taken to bolster dialogue between the Special Committee on decolonization, the administering Powers and the relevant stakeholders, and to enable that Committee's Bureau, pursuant to General Assembly resolution 69/107, to discuss the decolonization agenda regularly with the Secretary-General. However, all Member States needed to redouble their efforts to assist the remaining Non-Self-Governing Territories. Only with open minds and the active participation and political will of all concerned could progress be achieved on that crucial issue.

7. Visiting missions by members of the Special Committee were an effective means of ascertaining the situation in each Territory and, as mandated by General Assembly resolution 70/231, the administering Powers should continue to facilitate such missions, on a case-by-case basis. Indeed, it was a general rule that the specificities and particular circumstances of each Non-Self-Governing Territory must always be borne in mind. All the parties involved had to engage in dialogue, either at the United Nations or bilaterally, in order to find mutually acceptable solutions that would have a real and meaningful impact on the lives of the peoples of the Territories.

8. **Mr. Hermida Castillo** (Nicaragua) said that it had been an honour for Nicaragua to host the Special Committee during its regional seminar on decolonization, boosting his country's unwavering commitment to the eradication of colonialism. In the Fourth Committee, his delegation had once again listened with great interest to the petitioners — those true representatives of the peoples of Non-Self-Governing Territories — who had travelled great distances to relate, in the insufficient time allotted them, their struggle under the yoke of colonialism. Nicaragua stood in solidarity with all Territories in their valiant resistance to the colonial Powers. The Community of Latin American and Caribbean States (CELAC) had declared their whole region a zone of peace, free of colonialism. Yet, more than half of the dependent Territories were in the region.

9. The question of the Malvinas Islands, involving a special and particular colonial situation in dispute between Argentina and the United Kingdom, was of great importance to the region and it was up to those two parties alone to negotiate a lasting, peaceful solution. The military occupation of Argentine and Latin American territory, usurped by force by the United Kingdom in 1833, must end. It was unacceptable that the United Kingdom should continue to ignore repeated calls by Argentina and by the entire international community — in United Nations resolutions as well as in multilateral and regional forums — to resume negotiations with Argentina on the issue of sovereignty in order to bring a peaceful and lasting end to its unlawful military occupation. Nicaragua supported the legitimate sovereignty of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, as well as their subsoil and natural resources. The colonial, imperialist enclaves in the Malvinas Islands should be removed and the lands returned to their rightful owners: the people of Argentina.

10. CELAC would continue to affirm the Latin American and Caribbean identity of Puerto Rico, until it gained its independence and sovereignty. Thirty-five resolutions and decisions of the Special Committee had reaffirmed the inalienable right of its people to self-determination and independence under General Assembly resolution 1514 (XV). The Fourth Committee and the General Assembly should fulfil their mandates and examine the colonial situation in Puerto Rico more

carefully, and the colonial Power must allow the Territory's inhabitants to fully exercise their right to self-determination. The current economic and financial situation on the island underscored the urgency of decolonization. Under the colonial status quo there were no real initiatives for a new socioeconomic strategy for the Puerto Rican people; the only viable option was independence. Furthermore, it was time for the United States to heed the universal humanitarian call for the immediate and unconditional release of Oscar López Rivera, a Puerto Rican political prisoner who had been in jail in the United States for over 35 years.

11. With generations of Sahrawis having endured harsh conditions and the humiliation of colonialism, the ever-worsening situation in Western Sahara could have severe repercussions on peace and security in the region. It was unacceptable that the Sahrawi people remained unable to exercise their right to self-determination and independence, despite repeated calls by the international community for over 40 years; a solution to the situation was long overdue. Nicaragua remained committed to the Sahrawi people's national liberation struggle, led by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), and hoped that the negotiations between the Sahrawi Arab Democratic Republic and the Kingdom of Morocco would be restarted without preconditions to enable the people to exercise their right to self-determination.

12. Against the backdrop of the Third International Decade for the Eradication of Colonialism, all Non-Self-Governing peoples and Territories should be granted self-determination and independence and be included in the 2030 Agenda for Sustainable Development.

13. **Mr. Zamora Rivas** (El Salvador) said that the only solution to what the United Nations had defined as a sovereignty dispute between the United Kingdom and Argentina was for the two parties to resume negotiations, as called for in General Assembly resolution 2065 (XX). Fifty years after its adoption, that resolution remained unheeded; his delegation therefore urged the General Assembly to take steps towards a peaceful settlement under Article 1 of the Charter of the United Nations. His Government continued to support the legitimate rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and highlighted the Argentine Government's bilateral and multilateral efforts to resolve such a major international issue. The United Kingdom and Argentina must refrain from introducing unilateral modifications in the situation while the Islands were going through the recommended process of negotiation. However, El Salvador supported the right of Argentina to take action against any unauthorized exploration and exploitation of the renewable and non-renewable resources on its continental shelf.

14. As for Western Sahara, El Salvador attached great importance to finding a peaceful, just and lasting solution in which human rights and the inalienable right to self-determination were protected. It was urgent for Morocco and the Frente Polisario to resume talks. His delegation expressed concern over the actions Morocco had taken to inhibit the fulfilment of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which jeopardized the peace process. It therefore supported the draft resolution submitted by Algeria on that point.

15. El Salvador was also concerned about the situation in Puerto Rico and would support all initiatives consistent with international law and relevant United Nations resolutions that would bring an end to its occupation and make of Latin America and the Caribbean a region free of colonialism.

16. While the Department of Public Information was doing good work in publicizing the issue of decolonization, it should continue its efforts to adopt a more systematic rather than a piecemeal approach. The website should be made available in the six official languages, using up-to-date content, and all meetings related to the issue should be webcast live to enhance transparency.

17. **Ms. Sánchez** (Honduras) said that the decolonization process mandated by the General Assembly remained at a relative standstill and could be completed only through constant and more vigorous dialogue among the administering Powers, the Special Committee on decolonization and the peoples themselves.

18. Her delegation acknowledged the importance of the draft resolutions adopted over the past 51 years by the Special Committee in advancing deliberations on the issue of the Malvinas Islands and applauded the

good offices of the Secretary-General, urging him to continue working towards finding a peaceful solution to the dispute. In a number of multilateral forums, Honduras had been steadfast in supporting the sovereign right of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Standing with Argentina, the whole of Latin America had repeatedly advocated a speedy resolution of the dispute, and again as recently as during the fourth CELAC Summit in January 2016, had expressed the determination to see the region freed of colonialism.

19. **Mr. Llorentty Soliz** (Plurinational State of Bolivia) said that in the light of the upcoming fifty-sixth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, international action to eradicate colonialism should be intensified, and administering and occupying Powers must implement measures to put paid to their own interventionist policies as a matter of priority. As the Third International Decade for the Eradication of Colonialism drew to a conclusion, it was shocking that there remained 17 Non-Self-Governing Territories. Until the administering Powers did what was necessary to ensure self-determination for each of them, taking into account individual contexts as well as special and particular colonial situations involving sovereignty disputes, the peoples of the world would continue their fight for independence.

20. His country was concerned by the continued colonial situation in the brotherly Latin American country of Puerto Rico. The Special Committee's thirty-five consensus resolutions on the question all affirmed the inalienable right of the Puerto Rican people to self-determination and independence in line with General Assembly resolution 1514 (XV) and international law. His Government rejected the fiscal control board imposed by the administering Power in order to restructure the Territory's public debt, which was but another example of the United States Government's reluctance to guarantee self-determination for the Puerto Rican people. Moreover, there was renewed concern at the ongoing incarceration of the political prisoner Oscar López Rivera, who should be immediately released on humanitarian grounds.

21. His Government reaffirmed its unwavering support for the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Argentina was committed to dialogue and a resumption of negotiations with the United Kingdom to find a peaceful solution to the dispute, in accordance with resolution 2065 (XX) and the more than 40 successive resolutions adopted by the General Assembly in that regard. The United Kingdom continued to flout General Assembly resolution 31/49 calling upon both parties to refrain from introducing unilateral measures, in particular, the exploration and exploitation of natural resources and military actions. The United Kingdom must comply with the relevant resolutions and return the disputed Islands to Argentina, thus ending another dark chapter of colonization.

22. The aspirations of the people of Western Sahara to self-determination must also be achieved through peaceful negotiations, in accordance with the relevant General Assembly and Security Council resolutions.

23. **Mr. Sevilla Borja** (Ecuador) said that while the fight for political independence and self-determination was engraved in the history of humanity and the United Nations had played a significant role in helping peoples to attain that most important human right, the paralysis in the decolonization process brought about by the persistence of obsolete colonialist fantasies threatened international peace and security. There were three emblematic cases.

24. Despite the Special Committee's recognition of the inalienable right to self-determination for the Puerto Rican people as far back as 1972, the United States Government had recently ruled that the Constitution establishing the Commonwealth of Puerto Rico did not alter its status as a United States territory and that the ultimate power over all decisions on Puerto Rico lay with the United States Congress. The United States should instead assume its real responsibilities as the administering Power of a colony, and expedite the process that would enable the Puerto Rican people to exercise self-determination in an informed decision to select one of the three available decolonization options. That would entail dialogue with pro-independence factions as well.

25. Western Sahara remained the only colony on the African continent, illegally occupied by the Kingdom of Morocco. As a key member of the Non-Aligned Movement and the Group of 77 and China, Morocco

should understand that its destiny was to live in peace with its neighbours and within the bounds of international law. Morocco should begin negotiations immediately with the Frente Polisario, the sole legitimate representative of the Sahrawi people, and collaborate with the United Nations to hold the long-awaited referendum.

26. The dispute over the Malvinas Islands remained unresolved more than 50 years after the adoption of resolution 2065 (XX). Ecuador had always supported direct, peaceful negotiations to resolve the dispute over the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. It was still, however, a genuine case of decolonization, and the international community had a responsibility to take the necessary measures if one of the parties refused to enter into talks about the substance of the dispute. It was hoped that the Secretary-General-designate would use his good offices to find innovative solutions.

27. In addition to those three emblematic situations, 15 other Non-Self-Governing Territories remained on the Committee's agenda. Their decolonization must be completed once and for all, and administering Powers must improve their compliance with their international obligations, which included facilitating visiting missions to the Territories. He wished to express his country's support for the imaginative joint sovereignty proposal made at an earlier meeting by Spain with reference to Gibraltar. It was a realistic and practical solution that would remove Europe's last colony from the list.

28. His delegation would like the Committee to begin to consider other cases of territories under foreign control which had been excluded from the decolonization process for various reasons. In Latin America and the Caribbean and other regions, there still existed colonies separated by thousands of kilometres from their capitals — the remnants of decadent colonial empires. Ecuador would expand further on that proposal at the next session of the Special Committee. For as long as colonial domination continued, the human rights of peoples in need of attention would be denied and there would be the risk of those territories becoming flashpoints that threatened international peace and security. The continued foreign occupation of Palestine was the perfect example.

29. **Mr. Xu** (People's Republic of China) said that the issue of decolonization and Non-Self-Governing Territories was the historical legacy of the colonial rule of the West. Helping colonies and their people exercise their right to self-determination and attain independence was in line with the principles and purposes of the Charter of the United Nations. Throughout the world, particularly in the Pacific and Caribbean regions, many populations wished to obtain independence. The burdensome legacy of colonialism had resulted in a series of complicated issues and conflicts. In resolving decolonization-related disputes, the international community must relinquish the dated colonial mentality.

30. Much remained to be done for the cause of decolonization. China had always supported the colonies and, currently, the Non-Self-Governing Territories, in their fight for self-determination. It supported the sovereign claim of Argentina to the Malvinas Islands, South Georgia Islands, South Sandwich Islands and the surrounding maritime areas. At the same time, it had always been China's position that parties to disputes over dependent Territories should uphold the Charter and the relevant General Assembly resolutions, and that negotiations should be conducted so that the disputes could be resolved peacefully and lasting political solutions be found that were acceptable to all involved. China would continue to participate actively in the work of the Fourth Committee and the Special Committee. It stood ready to work closely with the other Member States to promote the positive results of the Third International Decade for the Eradication of Colonialism in order to fully realize the historical mission of decolonization.

31. **Mr. Matjila** (South Africa) said that his Government stood in solidarity with the Government and people of the Sahrawi Arab Democratic Republic in their struggle to attain self-determination, thus fulfilling the dream of their late leader, Mohamed Abdelaziz.

32. Given that democratic South Africa had been founded on the basis of the right to self-determination, it attached great importance to the issue of decolonization and believed in a people's legitimate right to free itself from the yoke of colonialism. It remained seriously concerned that Western Sahara was the last colony on the African continent still listed as a Non-Self-Governing Territory by the United Nations despite the

fact that the General Assembly had consistently recognized the Sahrawi people's inalienable right to self-determination and independence under General Assembly resolution 1514 (XV). The fact that Morocco was an occupying Power was not debatable and had been settled by both the General Assembly in various resolutions and the International Court of Justice in its 1975 advisory opinion. The Organization must act upon its various decisions and bring about the self-determination of the people of Western Sahara without further delay.

33. The liberation of the Sahrawi people remained a priority for Africa. It had been consistently reaffirmed by the African Union (AU) Peace and Security Council and various AU Assemblies of Heads of State and Government that, without the successful resolution of the situation in Western Sahara on the basis of international law, tensions would persist in the Territory and efforts to promote integration in the Maghreb would be futile. The AU had also called for the observance of human rights in Western Sahara, and the halting of the exploitation of the Territory's natural resources which, in a 2002 legal opinion by the then Legal Counsel of the United Nations, had been declared illegal if such activities did not benefit the people and respect their wishes. The illegal exploitation of natural resources in Western Sahara by Morocco had recently been denounced in an address to the United Nations Security Council by the African Union Special Envoy for Western Sahara, who had also warned that the Moroccan decision to expel the civilian personnel of MINURSO following the Secretary-General's visit to the region carried a risk of military escalation; had called for a date to be set for the mandated referendum; and had requested inclusion of the protection of human rights in the mandate of MINURSO. It was important for MINURSO, as it gradually returned to full functionality, to do so in compliance with Security Council resolution 2285 (2016).

34. Despite the laudable efforts of the Personal Envoy of the Secretary-General for Western Sahara, his attempts to travel to the region had been continuously impeded since May 2016, particularly by the Moroccan authorities, and that would have a negative impact on his forthcoming briefings to the Security Council and the Secretary-General. Reports of violations of the ceasefire agreement in the Gargarat area were also a matter of great concern, and all parties must adhere to their obligations to prevent an escalation of tensions. Cooperation between the Personal Envoy of the Secretary-General and the AU Special Envoy, called for by the Security Council, would certainly help resolve the conflict in Western Sahara. The Third International Decade for the Eradication of Colonialism must not be allowed to pass without the people of Western Sahara being afforded their inalienable right to self-determination. Member States must no longer remain indifferent to the plight of those who sought the same freedoms they themselves enjoyed.

35. **Mr. Tangara** (Gambia) said that his delegation welcomed the announcement by Morocco that it would rejoin the African Union, which would give the peace process in the Sahara a wider support base and allow Morocco to return to its family and take its rightful place in their continental organization.

36. Gambia expressed its full and unequivocal support for the ongoing political process under the auspices of the United Nations. The road to peace in the Sahara had been long, but his delegation wished to add its voice to the numerous calls for investing in that political process. It supported the recommendations of Security Council resolutions to that end, including resolution 2285 (2016), and reiterated the importance of compromise and a spirit of reconciliation.

37. It was incumbent on all to support the Moroccan 2007 autonomy initiative, which was the basis of the current United Nations-led political process and the only framework that could offer a compromise solution to the protracted dispute. That initiative had been reviewed by all and found to be credible and visionary. It was important to note that Morocco had made significant progress in its administrative and human rights obligations in the Saharan region. Security Council resolution 2285 (2016) highlighted that country's cooperation with the Office of the United Nations High Commissioner for Human Rights and its strengthening of the National Council of Human Rights and regional commissions in Laayoune and Dakhla. Morocco had also registered major achievements in economic and social development by investing almost $8 billion under a new development model. The Saharan region was undergoing an economic transformation and could achieve further development if peace and stability were restored. Morocco was making welcome efforts to create a supportive environment for political activity.

The municipal and regional elections that had been held in September 2015 had provided the Saharan people with a solid political framework for managing their own affairs.

38. The resolution of the Saharan dispute required urgent action. The international community must therefore support the autonomy initiative, which would guarantee the territorial integrity and cohesion of Morocco and its people. Peace and stability in the Sahara would ensure the same in the Maghreb.

39. **Ms. Lodhi** (Pakistan) said that progress on the Organization's critical but long-standing decolonization agenda had slowed considerably at a time when its attainment was far from complete. The international community was past the halfway mark of the Third International Decade for the Eradication of Colonialism and must intensify its efforts to end colonialism in all its forms and manifestations. The legal framework for it already existed and lack of implementation remained the principal impediment and challenge. Member States should focus on the uniform, comprehensive and non-selective implementation of General Assembly and Security Council resolutions. Selective implementation not only undermined the Organization's credibility, but also fuelled and deepened conflicts and compounded people's suffering.

40. Pakistan firmly believed that the right to self-determination was one of the fundamental human rights. The Organization's agenda would remain incomplete without the resolution of the Jammu and Kashmir dispute, which was among its oldest items. For over six decades, Security Council resolutions providing for a plebiscite under United Nations auspices to allow the Kashmiri people to determine their destiny had not been implemented. That was the most enduring failure of the United Nations. Generations of Kashmiris had seen only broken promises and brutal oppression.

41. The Kashmiri people had again risen in unison against occupation. The ongoing indigenous uprising was a consequence of the denial of their right to self-determination, and had once more been met with Indian brutality. In the past two and a half months, over a hundred innocent Kashmiris had been killed, and thousands had been injured. The decades-long illegal occupation of Jammu and Kashmir by India was the worst form of State terrorism and a war crime. Despite Indian claims, which were a travesty of history and law, Jammu and Kashmir never was and never could be an integral part of India. It was a disputed Territory whose final status had yet to be determined in accordance with Security Council resolutions, and whose right to self-determination had been acknowledged and promised to it by the Security Council.

42. Similarly, in the Middle East, the continued denial of the right to self-determination to the Palestinian people was the core of the conflict and a grave impediment to lasting peace. The continuation of the illegal policy of settlement-building was quickly eroding the future State of Palestine from within. Pakistan supported the Palestinian people's just struggle for freedom and believed that a strong and viable State of Palestine would be the only guarantor of peace in the region.

43. **Ms. Beckles** (Trinidad and Tobago) said that not so long ago, her own country and numerous others in the room had been listed as Non-Self-Governing Territories. The Organization's active support and vigilance through the Fourth Committee had been instrumental in their self-determination.

44. However, the Special Committee's agenda remained unfinished and Member States should not forget that their task was not yet completed. It was a matter of concern that 17 Non-Self-Governing Territories still did not have a voice in deciding their own future and that, furthermore, six of them were located in the Caribbean, impeding regional integration. While certain internal reforms had been enacted in several Territories, little progress had been made in actual decolonization consistent with the recognized political status options of independence, free association or integration. The affirmations of support and annual adoption of resolutions were not sufficient if the decolonization mandates were not implemented. For its part, Trinidad and Tobago was committed to ensuring that tangible achievements were made towards the goal of eradicating colonialism.

45. Her Government maintained its long-standing support for the self-determination of the people of Western Sahara. It commended the efforts undertaken by the Personal Envoy of the Secretary-General and the activities of MINURSO, and also supported the Security Council's call, in resolution 2285 (2016), for continued negotiations under the auspices of the United

Nations without preconditions and in good faith. It encouraged the parties to continue negotiating in a spirit of compromise and sincere commitment with the goal of achieving a just, lasting and mutually acceptable solution. Member States could not afford to continue to pay the price of constant repetition without achieving concrete results in the decolonization process.

46. **Mr. Bosah** (Nigeria) said that the inalienable right of peoples to freely realize their aspirations undergirded his Government's call for accelerating the granting of independence to the 17 remaining Non-Self-Governing Territories. All available options must be explored and all relevant resolutions applied to reinvigorate the advancement of self-determination in all Territories under colonial domination.

47. It was a matter of great concern that the question of Palestine remained unresolved. There must be a renewed commitment to mobilize negotiations to resolve the lingering issues and attain political independence for its people on the basis of a two-State solution in line with all relevant United Nations resolutions.

48. Regrettably, negotiations on the right of the people of Western Sahara to self-determination had produced no significant results for over forty years. Nigeria supported the African Union's call for setting a date for a referendum in conformity with the principles set out in Security Council resolution 690 (1991) and other relevant United Nations resolutions. Given the reports of rising tensions in the region, all efforts must be made to avert the deterioration of peace and security. That would require the resumption of negotiations, and would involve a return to the framework for the Manhasset rounds, with the parties to the dispute holding direct negotiations in good faith and without preconditions. The Special Committee should give priority to the question of Western Sahara, and the Security Council should renew its commitment to bringing about a lasting solution to the dispute.

49. **Mr. Soumah** (Guinea) said that valuable efforts had been made so that all concerned parties, including the neighbouring countries, could embark on negotiations to arrive at a political, negotiated and mutually acceptable solution to the dispute in the Sahara region. His delegation welcomed the diplomatic visits carried out by the Secretary-General and his Personal Envoy and encouraged consultations towards a realistic and compromise-based solution pursuant to Security Council resolutions and particularly resolution 2285 (2016), which recognized the need to consolidate cooperation within the Arab Maghreb Union in order to establish stability and security in the Sahel region.

50. Morocco had done well to undertake significant reforms in the field of human rights, by strengthening the role of its National Human Rights Council and its human rights commissions in Laayoune and Dakhla, and by cooperating with the Office of the United Nations High Commissioner for Human Rights. Municipal and regional elections had been conducted in the Sahara region in September 2015, with many local Saharans elected, and Morocco had launched an ambitious programme for the development of the region. It should be noted, by contrast, that the Secretary-General in his report (S/2016/355), the Security Council in resolutions adopted since 2011 and the United Nations High Commissioner for Refugees had all requested, yet again, a census of the Saharans living elsewhere in the Tindouf camps. Guinea subscribed to the principles of the negotiated political solution of disputes and the self-determination of peoples, and believed that the Moroccan autonomy initiative was in conformity with those principles. It therefore supported that initiative as the basis for the ongoing political process and the sole framework for reaching a compromise on that dispute.

51. **Mr. Otto** (Palau) welcomed French Polynesia and New Caledonia to the Pacific Islands Forum and was confident that both would complete the decolonization process in a manner respectful of the wishes of their indigenous populations.

52. His delegation took note of the developments surrounding the question of Western Sahara, including Moroccan investment in Saharan economic and social development and in human rights. However, reports of the conditions of the Saharan refugees elsewhere in the region were a cause for concern. The parties involved were requested to address the humanitarian concerns in accordance with the commitments made at the 2016 World Humanitarian Summit and in the subsequent New York Declaration for Refugees and Migrants.

53. Palau strongly supported United Nations efforts to resolve the question of Western Sahara, and encouraged the parties themselves to engage in substantive negotiations

with a view to reaching a just, lasting and mutually acceptable political solution. The Moroccan proposal for an autonomy statute for the Saharan region under Moroccan sovereignty provided a credible compromise as well as a basis for moving forward with negotiations. He trusted that the United Nations would uphold the principles of sovereignty and territorial integrity so that the aspirations of the people of Western Sahara could be fulfilled.

54. **Mr. Kimpolo** (Congo) reaffirmed his delegation's commitment to work alongside other members of the Special Committee on decolonization in order to accelerate the decolonization progress and bring an end to colonialism.

55. Congo encouraged the parties to the dispute over Western Sahara to pursue negotiations in good faith, with a view to reaching a just, peaceful, lasting and mutually acceptable political solution in accordance with the relevant General Assembly and Security Council resolutions. Such a solution would promote trust and strengthen stability and security in the entire region. At the same, it would set up arrangements for allowing the people of Western Sahara to exercise their right to self-determination. His Government welcomed the decision by Morocco to rejoin the African Union, where it would continue the historic role it had always played in peace and development on the continent.

56. **Mr. Shingiro** (Burundi) said that the parties to the Western Sahara conflict, a long-standing source of international discord and regional instability, should enter into negotiations under the auspices of the Secretary-General. Bearing in mind that it would be impossible to wholly satisfy their individual demands, they should focus instead on achieving a practical and mutually acceptable solution that was politically realistic.

57. Burundi supported the Moroccan autonomy initiative because it was the only serious and credible framework for a balanced political solution and, furthermore, because it offered promising possibilities for preventing terrorist threats, human and other types of trafficking, organized crime, illegal immigration and the risk of instability in the Sahelo-Saharan region. Given both the human and political dimensions of the negotiation process, the Secretary-General should continue to advocate improved relations between the two parties directly concerned. Both would benefit from better relations and the opening of their common frontier. Resolution of the question of Western Sahara would also undoubtedly contribute to stability and security in the Sahel. In that regard, among the parameters established by successive Security Council resolutions on the question, from 2007 to 2016, the parties to the conflict and the neighbouring States had been urged to continue to cooperate fully with the United Nations and with each other in order to reach a balanced political solution.

58. It was important to take into account the regional aspect in any approach to a mutually acceptable political solution to the conflict. Regional integration was key to overcoming instability and reaping economic, commercial and social dividends. The Personal Envoy of the Secretary-General should thus step up communication with subregional organizations, including the Arab Maghreb Union, and with other countries in the region to promote subregional appropriation of that long-standing conflict. Burundi welcomed the cooperation of Moroccan authorities with the Personal Envoy as well as the normalization of relations between Morocco and MINURSO, whose presence was critical in keeping the peace. Fortunately, the recent Moroccan municipal and regional elections had taken place in the Sahara without major incident and in an atmosphere of calm.

59. Lastly, his delegation welcomed Morocco's decision to return to the African Union, which would contribute to the building of a united, peaceful and prosperous continent.

60. **Mr. Tiare** (Burkina Faso) said that his Government supported the right to self-determination of peoples living in Non-Self-Governing Territories. The United Nations should not only encourage frank dialogue between administering Powers and the populations under their control, but also do what was needed to help resolve any remaining issues in the Territories.

61. On the question of Western Sahara, his delegation welcomed the adoption of Security Council resolution 2285 (2016) extending the mandate of MINURSO, as well as the efforts of Morocco, which included the launching of a massive investment plan that would boost development in the Sahara region. The Personal Envoy of the Secretary-General had himself engaged in valuable shuttle diplomacy in the region, and the various parties concerned must now renew dialogue through substantive negotiations. The Moroccan autonomy

initiative was a credible and realistic proposal. The definitive resolution of the question of Western Sahara would allow the States of the region to join forces and effectively combat the scourge of insecurity overtaking it.

62. **Mr. Koonjul** (Mauritius) said that the Committee's failure to resolve the remaining decolonization cases was disheartening. All those involved in the process must pursue the cause of decolonization, thereby allowing the legitimate aspirations of the peoples still living under colonial rule to be fulfilled.

63. Mauritius supported the attempts of the Secretary-General and his Personal Envoy to find an acceptable solution to the question of Western Sahara, but was deeply concerned by the events that had led to the expulsion of some MINURSO staff from Morocco earlier that year, for the Mission must, as Security Council resolution 2285 (2016) had stipulated, return to full functionality. The original United Nations Settlement Plan put forward in 1988 still provided a good basis for a solution, and the Special Committee should call a special session on Western Sahara, and refer to the Plan in recommending steps to complete the process of decolonization, including a proposal for setting a date for the referendum. Mauritius supported the right of self-determination for the Palestinian people, welcomed United Nations recognition of Palestine as an Observer, and called for the establishment of a viable state of Palestine on the basis of agreed international resolutions.

64. Because the international community was responsible for furthering the cause of peace, rule of law, justice and respect for human rights, it should seize every available opportunity to redress past wrongs and advance decolonization. The political emancipation of a people and its legitimate right to self-determination should not be denied on irrational grounds put forward by administering Powers, such as geographical remoteness, small population, size, or the purported desire for those in the Territories to remain under colonial rule.

65. **Ms. Sughayar** (Jordan) said that any attempt to hinder freedom, sovereignty or territorial integrity contravened the Charter of the United Nations, which had enshrined equal respect for the rights of all countries and peoples as one of the Organization's fundamental principles. The United Nations bore the primary responsibility for granting independence to Non-Self-Governing Territories. In addition to having their rights curtailed, peoples living under colonial rule faced diminished prospects for economic, social and cultural development. Traditional approaches to ending colonialism would not yield the desired progress. It would instead be necessary to keep pace with global developments by adopting a new approach to comprehensive dialogue that made decolonization a priority. It was important for the Special Committee to send more visiting missions to the 17 Non-Self-Governing Territories for the purposes of data collection but also of mediation and dialogue among the parties.

66. The Palestinian people had been under occupation for decades. Jordan urged the international community to act to end the Israeli occupation in accordance with the relevant United Nations resolutions, and called for the establishment of a free independent Palestinian State within 1967 borders, with East Jerusalem as its capital. The Palestinian people, like all those under occupation, should be protected from repressive or racist practices and exploitation, and their interests should be safeguarded by the United Nations.

67. With regard to Western Sahara, Jordan urged all parties to redouble their efforts to cooperate with one another in good faith and without preconditions in order to reach a just and lasting political solution that would be based on Security Council resolutions and international law, taking into account the concerns of the inhabitants of Western Sahara. Her Government supported the good offices of the Secretary-General and his Personal Envoy and stressed that the United Nations was the only mediator accepted by all parties and able to bring about a rapprochement. Lastly, Jordan welcomed efforts made by Morocco to achieve development in the region and its serious and credible proposal for autonomy.

68. **Mr. Prieto** (Peru) said that his country had been a strong supporter of United Nations efforts to bring an end to colonial situations since the Organization's inception. Although over 80 Territories had achieved independence in the 50 years since the adoption of General Assembly resolution 1514 (XV), the process of decolonization remained unfinished. The United Nations should therefore direct its efforts at reversing such injustice. Political will and the adoption of a sustained case-by-case approach and evaluation were essential to success. The Special Committee, as it worked so

tirelessly on behalf of self-determination, must maintain direct contact with the parties involved in order to help advance decolonization. The administering Powers as well must cooperate with the Special Committee and adopt the measures necessary to accelerate decolonization and facilitate the sustained growth of the colonized Territories.

69. With regard to the Malvinas Islands, where historical and legal circumstances precluded the possibility of exercise of the right to self-determination, Peru had in 2013, together with other Latin American and Caribbean countries, succeeded in having the Secretary-General resume his good offices on the question. Peru would continue to support the legitimate rights and sovereignty of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Negotiation was the only means of resolving that issue, and Argentina and the United Kingdom should resume talks as soon as possible with a view to finding a peaceful, constructive and sustainable solution to the conflict. The Governments of both States had made welcome efforts to improve bilateral relations. They should meanwhile refrain from unilaterally introducing modifications to the current situation in the Islands, in accordance with General Assembly resolution 31/49.

70. **Mr. Ndong Mba** (Equatorial Guinea) said that his Government was a firm proponent of the peaceful settlement of disputes through dialogue, cooperation and consensus, which were key to guaranteeing sustainable development and the well-being of the people of disputed Territories. Dialogue had in fact played a role in some of the positive developments relating to the question of Western Sahara.

71. His delegation welcomed the adoption of Security Council resolution 2285 (2016) and urged the Secretary-General and his Personal Envoy to continue their efforts to help resolve the dispute. It noted the positive initiatives Morocco had taken in order to advance a mutually acceptable political solution, such as the holding of elections and the steps taken to improve the protection of human rights in the Sahara region. While it was crucial that the parties involved should support the efforts of the United Nations, it was equally important to have the international community and the States of the region support them. That would ensure the resolution of the conflict and allow the Saharan region to embark at last on the course of sustainable development.

72. His delegation trusted that, as in the previous year, the decisions and resolutions before the Committee would be adopted by consensus, thereby maintaining and deepening the current climate of dialogue.

73. **Mr. Emvula** (Namibia) said that his delegation regarded the question of Western Sahara as a special and particular situation of decolonization. The President of Namibia had demonstrated his country's openness to discussion with Morocco on all subjects, including the long-deferred referendum on Western Sahara, by visiting that country earlier in the year. Namibia called on Morocco to demonstrate its adherence to the purposes and principles of the United Nations by implementing its relevant resolutions and decisions. The people of Western Sahara should be allowed to enjoy their inalienable right to self-determination as well as to decide the legitimacy of any claim over the Territory. Namibia was prepared to accept the outcome of the referendum; however, it should be closely monitored to ensure the fairness and legitimacy of the process.

74. Namibia was gravely concerned by indications that a war between Moroccan and Frente Polisario forces could be triggered at any moment, and requested the belligerent Member State to respect the 1991 ceasefire brokered by the United Nations. It deplored the expulsion of MINURSO staff from the occupied Territory, regretting both the Security Council's indecisiveness and its failure to employ stronger language in resolution 2285 (2016), and called for the re-admission of the expelled MINURSO personnel. The Security Council must work with the Moroccan Government to ensure the holding of the referendum, as should countries such as France and Spain. Namibia reaffirmed its full support for the inalienable right of the people of Western Sahara to self-determination and national independence if they so wished, and reiterated its call on the United Nations to assume its full responsibility in that respect.

75. **Mr. Ciss** (Senegal) said that the Moroccan proposal for autonomy, a good faith initiative, provided an appropriate framework for finding a definitive solution to the dispute over Western Sahara through a realistic compromise. Resolving the dispute would benefit the region and the wider world by promoting economic

cooperation and development as well as enabling the countries of the Maghreb to confront such regional challenges as terrorism, transnational organized crime and trafficking in weapons and persons. In that connection, Security Council resolution 2285 (2016) recognized that achieving a political solution to that long-standing dispute and enhanced cooperation between the Member States of the Arab Maghreb Union would contribute to stability and security in the Sahel region. Moreover, a negotiated political solution would make it possible to address the issue of refugees in the Tindouf camps.

76. Successful diplomacy had paved the way for the gradual return of the civilian component of MINURSO personnel, and the Committee should endorse the Security Council's recommendation that the parties continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, with a view to achieving a just, lasting, and mutually acceptable political solution. Moreover, the ongoing cooperation between the Personal Envoy of the Secretary-General, Morocco and all concerned parties was commendable, as was the commitment of Morocco to ensuring the success of the political process.

77. Also worthy of note were the progress Morocco was making in promoting human rights in the Sahara region; its launch of a 7.7 billion-dollar development programme for its southern provinces and the holding of municipal and regional elections in the Sahara in September 2015, followed by legislative elections in 2016. Lastly, along with 28 other member States of the African Union, Senegal had warmly welcomed the recent decision of Morocco to return to the African Union, of which it had been a founding member.

78. **Mr. Rai** (Papua New Guinea) said that the United Nations must expedite the decolonization of the 17 remaining Non-Self-Governing Territories. In New Caledonia, both the French Government and the Territorial government had to ensure that the self-determination referendum there was fair and transparent. In their presentations, the petitioners from New Caledonia had failed to clarify how the development of the indigenous Kanak people would be sustained under the new political status to be determined by the referendum. Papua New Guinea hoped to ensure that the Kanak people of New Caledonia — which was a member of the Melanesian Spearhead Group — would play an active role in the integration of that Group and the Pacific Islands Forum.

79. With regard to the question of French Polynesia, his delegation requested the group that wanted French Polynesia to be removed from the list of Non-Self-Governing Territories and the opposing group that wanted the Territory to remain on the list to consult one another, reach a compromise and possibly consider another referendum to determine the future of French Polynesia.

80. In the case of Western Sahara, the ongoing political process under the auspices of the Secretary-General and his Personal Envoy should be supported, and a negotiated, durable political settlement should be based on practical realities, good faith and compromise, in accordance with United Nations resolutions, with all parties demonstrating flexibility. Papua New Guinea welcomed the recent visits of the Personal Envoy to the region and the commitment of all parties concerned to continue to contribute positively to the United Nations-led process.

81. **Mr. Dedji** (Togo) said it was regrettable that the parties involved in the dispute over Western Sahara had not yet managed to attain a peaceful, just and lasting solution. Negotiation being the only way forward, Togo fully supported the ongoing political process under the auspices of the United Nations. All parties had to abandon rigid positions and adopt a pragmatic approach in a spirit of openness and compromise. His Government believed that the Moroccan autonomy proposal — part of the Kingdom's broader move towards decentralization — was a realistic and credible one that offered a compromise solution, attesting to a sincere desire to contribute to United Nations efforts. It also welcomed the Moroccan Government's cooperation with the Personal Envoy of the Secretary-General, who had conducted several visits to the region and met with all relevant parties on the occasion of the opening of the current session of the General Assembly. Moreover, Morocco had made significant gains in the area of human rights. In September 2015, it had held municipal — and for the first time, regional — elections in the Sahara region.

82. Togo called for a census and registration of the population in the Tindouf refugee camps to be conducted without delay, in accordance with

international humanitarian law and at the urging of the United Nations High Commissioner for Refugees, the Security Council and the Secretary-General in his reports (S/2015/246, S/2016/355).

83. In addition to its dramatic impact on the lives of the Saharan population, the conflict hampered regional cooperation and undermined the Arab Maghreb Union. Furthermore, in the light of the destabilizing effects of extremist and terrorist gang activity on peace and stability in the Sahelo-Saharan region, the persistence of the dispute over Western Sahara was a major source of concern.

Statements made in exercise of the right of reply

84. **Mr. Perry** (United Kingdom), replying to the statements made concerning the Falkland Islands and Gibraltar, said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands, South Georgia, the South Sandwich Islands and the surrounding maritime areas. Nor did it doubt the right to self-determination, as enshrined in the Charter and in article 1 of two United Nations human rights covenants, by virtue of which the Falkland Islanders could determine their political status and freely pursue their economic, social and cultural development. His Government's relationship with the Falkland Islands as with all of its overseas territories was a modern one based on partnership, shared values, and the rights of the people of each territory to determine their own future.

85. Claims that hydrocarbon exploration in the Falkland Islands waters represented unilateral action were false. It was a legitimate commercial venture regulated by the legislation of the Falkland Islands government in strict accordance with the United Nations Convention on the Law of the Sea. Argentine domestic law did not apply to the Falkland Islands. The Falkland Islanders' desire to develop their hydrocarbons industry with the support and expertise of companies from around the world could potentially be of economic benefit to the wider economy of the South Atlantic region, and therefore should not be subject to unlawful sanction. Moreover, companies drilling in the waters surrounding the islands were obliged to work under some of the most stringent international standards and were regularly inspected. His delegation therefore welcomed the United Kingdom-Argentine joint communiqué following the visit of the British Minister of State to Argentina the previous month, during which it had been agreed that appropriate measures would be taken to remove all obstacles limiting the Islands' economic growth and sustainable development, including with regard to hydrocarbon exploration.

86. On the question of Gibraltar, the United Kingdom recalled its sovereignty over the Territory and the waters surrounding it and recalled that the United Nations had included it on its list of Non-Self-Governing Territories. As such, it enjoyed the rights accorded to it under the Charter. The 2006 Gibraltar Constitution, which had been endorsed in a referendum by the people of Gibraltar, provided for a modern and mature relationship between Gibraltar and the United Kingdom. His Government restated its longstanding commitment to the people of Gibraltar that it would not enter into arrangements under which Gibraltar would pass under the sovereignty of another State against its freely and democratically expressed wishes nor enter into a process of sovereignty negotiations with which Gibraltar was not content.

87. **Mr. Mazzeo** (Argentina), replying to the remarks of the representative of the United Kingdom regarding the Malvinas Islands, reiterated the statements made in recent months by the President of Argentina to the plenary Assembly and by its Minister for Foreign Affairs and Worship to the Special Committee. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine national territory that had been illegally occupied by the United Kingdom and were the subject of an internationally recognized sovereignty dispute.

88. That illegal occupation had led the General Assembly to adopt resolution 2065 (XX) and nine subsequent resolutions, all of which recognized the existence of the sovereignty dispute over the Malvinas Islands and called upon the two countries to resume negotiations in order to find a peaceful and lasting solution to the dispute as soon as possible. For its part, the Special Committee had adopted several resolutions, the most recent one in June 2016, and the General Assembly of the Organization of American States had adopted a new statement on the issue in similar terms that same month. The principle of the free self-

determination of peoples — the sole element underpinning the United Kingdom position, which it stated exclusively with regard to the Malvinas Islands — was totally inapplicable to the dispute between their two countries. The interests of the residents of the Malvinas Islands and their way of life were adequately covered by the relevant General Assembly resolutions and by the Constitution of the Argentine Republic.

89. Argentina rejected the continued British engagement in the exploitation of renewable and non-renewable resources in the maritime areas surrounding the Malvinas Islands, in contravention of international law and of General Assembly resolution 31/49. The joint communiqué of 13 September 2016 referred to by the United Kingdom delegation reflected the political willingness of both parties to resume dialogue on South Atlantic issues without exclusion and under the formula on sovereignty set out in the joint statement of 19 October 1989. Progress in each of the areas mentioned in the text would require negotiations, understandings and specific agreements. At the same time, the suspension of unilateral United Kingdom acts in the areas indicated would help create a climate conducive to the identification of tangible areas of cooperation on the South Atlantic. Argentina reaffirmed its legitimate right to adopt measures with regard to unilateral exploration and exploitation of the natural resources of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were an integral part of Argentine territory.

90. **Mr. Prasad** (India), replying to the representative of Pakistan, said that he categorically rejected that representative's references to the Indian State of Jammu and Kashmir in another self-serving and disingenuous attempt to misuse the Committee to further its agenda of territorial aggrandizement. The issue was not on the Committee's agenda, and rightly so; the Committee dealt only with Non-Self-Governing Territories, while the Indian state of Jammu and Kashmir was an integral part of his country. Pakistan would be well advised to refrain from disrespecting the Committee's intelligence and adhering to the agenda.

91. **Ms. Sayed** (Pakistan) said that the representative of India had made untenable assertions regarding the dispute over Jammu and Kashmir in response to her delegation's statement under the agenda item on decolonization. It seemed strange that India continued to foist a factually incorrect position on the Committee year after year. Kashmir was internationally recognized as a disputed territory and was not an integral part of India. Repeating a false claim would not make it acceptable. The Declaration on the Granting of Independence to Colonial Countries and Peoples stated that all peoples under alien subjugation had the right to self-determination. In the case of Jammu and Kashmir, that right had been recognized by numerous Security Council resolutions and promised to its people by India and Pakistan. Their struggle was a legitimate one and entitled them to receive moral and political support from the international community.

The meeting rose at 6.10 p.m.